

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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STEPHEN FLANAGAN, as a Trustee of the GENERAL
BUILDING LABORERS' LOCAL 66 PENSION FUND;
STEPHEN FLANAGAN, as a Trustee of the GENERAL
BUILDING LABORERS' LOCAL 66 WELFARE FUND;
STEPHEN FLANAGAN, as Trustee of the GENERAL
BUILDING LABORERS' LOCAL 66 ANNUITY FUND;
STEPHEN FLANAGAN, as a Trustee of the GENERAL
BUILDING LABORERS' LOCAL 66 LABORERS'
EMPLOYER COOPERATIVE AND EDUCATIONAL
TRUST FUND; STEPHEN FLANAGAN, as a Trustee
of the GENERAL BUILDING LABORERS' LOCAL 66
TRAINING PROGRAM; STEPHEN FLANAGAN, as a
Trustee of the GENERAL BUILDING LABORERS'
LOCAL 66 NEW YORK STATE HEALTH AND SAFETY
FUND; STEPHEN FLANAGAN, as Interim Business
Manager of GENERAL BUILDING LABORERS' LOCAL
UNION NO. 66 of the LABORERS' INTERNATIONAL
UNION OF NORTH AMERICA, AFL-CIO,

Plaintiffs,

ORDER

-against-

CV 12-744 (JFB) (ETB)

MAARV WATERPROOFING, INC. and ATTILA
SZAMOSSZEGI,

Defendants.

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The plaintiffs' motion to compel, dated December 26, 2012, is denied without prejudice
to renewal in the event that this action is not dismissed.

Defendant has submitted, on December 28, 2012, un rebutted proof that this action was
settled by the principals of the respective parties on November 19, 2012 in the sum of the amount
demanded by the plaintiffs. Annexed to defendants' submission is a copy of the canceled check
payable to plaintiffs in the sum of \$28,378.35.

Counsel are directed to appear before the undersigned on January 23, 2013 at 10:30 a.m. in Courtroom 830, Alfonse M. D'Amato U.S. Courthouse, Central Islip, New York, in the event that any party disputes that this action has been settled. If the action is settled, the parties shall submit a stipulation of discontinuance prior to the conference.

SO ORDERED:

Dated: Central Islip, New York
January 9, 2013

/s/ E. Thomas Boyle
E. THOMAS BOYLE
United States Magistrate Judge